

REMARKS

Applicants appreciate the consideration of the present application afforded by the Examiner. Claims 1-22 were pending prior to the Office Action. Claims 1, 6, 9, 14, 17, and 20 are hereby cancelled by the present amendment. Therefore, claims 2-5, 7, 8, 10-13, 15, 16, 18, 19, 21, and 22 are currently pending. Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks.

Allowable Subject Matter

In the Office Action, the Examiner indicated claims 4, 5, 7, 12, 13, 15, 18, 19, and 21 as containing allowable subject matter, but objected to as being dependent upon a rejected base claim. Applicants have amended claims 4, 5, 7, 12, 13, 15, 18, 19, and 21 such that the limitations indicated as allowable by the Examiner are rewritten in independent form. Accordingly, Applicants submit that claims 4, 5, 7, 12, 13, 15, 18, 19, and 21 are in condition for allowance and respectfully request that the objection to said claims be withdrawn. Claims 2 and 10, as amended, now depend from allowable claims 4 and 12, respectively. Accordingly, Applicants submit that claims 2 and 10 are also in condition for allowance.

Claim Rejections - 35 U.S.C. §102(e)

In the Office Action, the Examiner rejected claims 1-3, 8-11, 16-17, and 22 under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,963,365 to Baron (“Baron”). The Examiner further rejected claims 6, 14, and 20 as allegedly being unpatentable over Baron in view of Japanese Patent Publication No. 11-250240 to Yasunari (“Yasunari”). Claims 1, 6, 9,

14, 17, and 20 have been canceled by the present Amendment, rendering the rejections of these claims moot. Claims 2 and 10 have been amended to depend from claims 4 and 12, respectively, which have been indicated as allowable by the Examiner as previously discussed, *supra*. Regarding claims 3, 8, 11, 16, and 22, Applicants submit the Examiner has failed to establish a *prima facie* case of anticipation and traverse the rejection.

In order to establish a *prima facie* case of anticipation under 35 U.S.C. §102, the cited reference must teach or suggest each and every element in the claims. See M.P.E.P. §2131; M.P.E.P. §706.02. Accordingly, if the cited reference fails to teach or suggest one or more claimed elements, the rejection is improper and must be withdrawn.

Regarding claims 3 and 11:

Claims 3 and 11 recite, *inter alia*, a digital image data correction method or apparatus “wherein the digital image data which is uncorrected in the first step and the second step is respectively corrected in the first step and the second step, and the digital image data which has been corrected in the first step is synthesized with the digital image data which has been corrected in the second step, so that the optical distortion is corrected.”

The Examiner alleges that Baron discloses this feature, pointing to Figures 2 and 3. However, referring to col. 5, lines 40-60 of the specification which describe Figures 2 and 3, it is apparent that Baron discloses correcting distortion in a vertical direction to arrive at an intermediate image and then correcting said intermediate image for distortion in a horizontal direction. Alternately, Baron also discloses performing horizontal correction first to arrive at an intermediate image, followed by performing vertical correction on said intermediate image. In direct contrast, the instant invention performs distortion correction wherein image data which is

uncorrected in the first step and the second step is respectfully corrected in the first step and the second step. Then the digital image data which has been corrected in the first step *is synthesized* with the digital image data which has been corrected in the second step, so that the optical distortion is corrected. Figures 2 and 3 of Baron, as described by specification, do not show this feature of independent claims 3 and 11.

Therefore, at least because Baron fails to teach or suggest each and every claimed element, independent claims 3 and 11 are distinguishable from the prior art. Accordingly, Applicant respectfully requests that the rejection of claims 3 and 11 under 35 U.S.C. § 102(e) be withdrawn.

Regarding claims 8, 16, and 22:

Claims 8, 16, and 22 recite, *inter alia*, a digital image data correction method or apparatus “wherein a pixel on a corrected coordinate of the corrected digital image data is interpolated with pixels around an uncorrected coordinate of the uncorrected digital image data corresponding to the corrected coordinate, so that the optical distortion component is corrected.”

The Examiner alleges that Baron discloses this feature, pointing to col. 5, lines 40-50. Baron appears to disclose correcting distortion in a particular direction (vertical or horizontal) by expanding the image according to a magnification of said direction. Baron offers no disclosure of how this magnification is performed according to an interpolation of pixels based on pixel coordinates of the image data. The Examiner merely contends that “magnification corresponds to interpolation” (see Office Action, page 4, lines 1-2). Furthermore, there is no disclosure or suggestion in Baron of a method of correcting distortion wherein a pixel on a corrected coordinate of the corrected digital image data is interpolated with pixels around an uncorrected

coordinated of the uncorrected digital image data corresponding to the corrected coordinate. Absolutely no mention of pixel coordinates or pixel interpolation is present in the disclosure of Baron.

Therefore, at least because Baron fails to teach or suggest each and every claimed element, independent claims 8, 16, and 22 are distinguishable from the prior art. Accordingly, Applicant respectfully requests that the rejection of claims 8, 16, and 22 under 35 U.S.C. § 102(e) be withdrawn.

CONCLUSION

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Notice of same is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Michael K. Mutter, Reg. No. 29,680 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Date: March 13, 2007

Respectfully submitted,

By

Michael K. Mutler

Registration No.: 29,680

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant